THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 22932 OF 1994

Between:

Mrs. M. Nalini, W/o Sri T. Ramamohan Reddy, aged about 37 years, Occ: Lecturer, R/o H.No. 25-9-80A, Kavali – 524 201, Nellore District.

… Petitioner

and

1. Government of Andhra Pradesh, rep.,by its Secretary, Education Department, Secsretariat, Buildings, Hyderabad and five others.

… Respondents.

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ORDER:

Though the petitioner, in the writ petition, had questioned the action of the respondents in not implementing the directions of this Court in W.P.No. 7128 of 1987 dated 14.12.1989, after the writ petition was filed, the government issued G.O.Rt.No. 2685 dated 04.12.1985 implementing the judgment of this Court and permitting the Commissioner of Collegiate Education (the 2nd respondent) to regularize the services of the petitioner against the grant-in-aid post with effect from 31.08.1996. Pursuant thereto, the 2nd respondent issued proceedings dated 28.12.1995 regularising the services of the petitioner and admitting her post to grant-in-aid with effect from 31.08.1986. The petitioner's pay is said to have been fixed in the minimum of the time scale of pay attached to the post of aided lecturers and arrears of salary, with annual increments, with effect from 31.08.1986 was released.

The grievance which survives for adjudication is with regards non-fixation of the petitioner's pay in senior scale of pay of lecturers on completion of six years service on 31.08.1992 and in the selection grade scale on completion of five years thereafter from on 31.08.1997.

In the Additional counter affidavit, filed by the Director of

Collegiate Education, while it is admitted that the petitioner is eligible for the senior scale of pay with effect from 01.01.1986 and selection grade scale of pay with effect from 03.08.1987, it is stated that the petitioner was not fixed in these scales of pay since she had not obtained the screening committee report for allowing her the senior scale of pay under the C.A.S. of 1986 scales and the management of the petitioner's college had not submitted proposals for fixation of her pay in the U.G.C. scale of pay 1986 in terms of G.O.Ms.No. 535 dated 21.07.2001.

Since the eligibility of the petitioner, for being given these higher scales of pay, is admitted by the Director of Collegiate Education in his additional counter-affidavit and the only ground for non-fixation is said to be the failure on the part of the 3rd respondent in not forwarding the proposals to the screening committee which in turn is required to submit a report to respondents 1 and 2, there shall be a direction to the 5th respondent college to submit proposals, for fixation of petitioner's pay scales in the senior scale of pay, selection grade scale of pay and U.G.C. scales of pay, to the screening committee within one month from the date of receipt of a copy of this order and within two months of receipt of the report of the screening committee, the respondents 1 and 2 shall take action on the basis of the report and pass appropriate orders, in accordance with law.

The writ petition is disposed of accordingly. There shall however be no order as to costs.

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Date: 06.06.2006 RAMESH RANGANATHAN, J

MRKR